

## **INTRODUCTION**

Although the MOU is far from perfect, it should be remembered that the MOU is intended to facilitate issuance of a Certificate of Public Good before the Vermont Public Utilities Commission. Remaining issues not in the MOU, details of the MOU that are unclear or require additional action, and issues that arise as we go forward will have to be resolved during the course of decommissioning. This resolution we hope will take place through civil discourse and in the public arena without recourse to litigation.

## **THE MOU**

NEC was the only intervener to focus on issues of nuclear pollution. Four of our principal concerns have been at least partially addressed in the MOU:

(1) Early NEC testimony advocated for a site residual radiation standard that would be the equivalent of low residual radiation levels achieved at other New England sites and not NorthStar's proposed 150% higher radiation limit. In the MOU NorthStar has agreed to try to reach the lower "New England standard". It is important to us as every major regulator of ionizing radiation has agreed that there is no radiation dose so low that it does not have a proportional biological effect; in this case, 1/3 less radiation means 1/3 less biological effect on the entire biotic community of and around the VY site. NEC will do its best to help NorthStar reach that goal.

(2) NEC advocated against the use of concrete demolition debris as on-site fill because of radiological contamination implications. In the MOU, NorthStar agrees to limit demolition debris fill to material from clean structures (nominally, the cooling tower basins and the water intake structure) and only if that material contains no [zero] reactor-derived radionuclides.

(3) NEC testified in favor of an active role in decommissioning for knowledgeable stakeholders and community members on the model of the highly successful Maine Yankee decommissioning. In the MOU, NorthStar agrees to form a stakeholder group to advise decommissioning.

NorthStar also proposes exploration of forming the group as a subcommittee of NDCAP. NEC does not object to the exploration but doubts that path can be made to work as the NDCAP's charter forbids it from giving advice to the company.

(4) Additional MOU stipulations to radiologically clear big bore buried piping and substructure voids before filling and to conduct near off-site radiological surveys [of sensitive areas] are very much in keeping with NEC's environmental protection goals and thus very welcome.

**Finally,**

- NEC proposals to restore the site to its original natural condition and to set it aside as a nature preserve got little traction in the PUC process and are not mentioned in the MOU.
- However, NEC will continue to pursue recognition of this site, with its entire ecology, as a living natural gift to this and future generations of this entire region; one that should not be further polluted or abused.

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